

HONORING THE LIFE AND LEGACY
OF CONSTANTINO BRUMIDI

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 205, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 205) honoring the life and legacy of Constantino Brumidi and recognizing his contributions to the United States on the 200th anniversary of his birth.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 205) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 205

Whereas Constantino Brumidi was born in Rome, Italy, on July 26, 1805, to an Italian mother and a Greek father who inspired his lifelong love of liberty and freedom of expression;

Whereas Constantino Brumidi emigrated to the United States from Rome in 1852 and became a naturalized citizen in 1857;

Whereas Constantino Brumidi established a reputation for excellence in his craft that led to him being known as the "Michelangelo of the Capitol";

Whereas Constantino Brumidi represents the many immigrant artists and craftsmen who have contributed over the years to the design and decoration of the United States Capitol;

Whereas Constantino Brumidi painted murals and other outstanding artworks in the United States Capitol over the last third of his life, between 1855 and 1880, including the first fresco painted in the United States, in what is today the House Appropriations Committee Room, the famous "Brumidi Corridor" on the Senate side of the Capitol, and the paintings in the President's Room (S-216);

Whereas Constantino Brumidi painted "The Apotheosis of George Washington" and began the frieze of American history on the interior of the dome above the Rotunda at the center of the United States Capitol, but died while working on sketches for the frieze;

Whereas Constantino Brumidi succeeded in his effort to encourage the use of the Capitol as a living testament to the past, present, and glorious future of the United States of America with his artwork, especially with his murals; and

Whereas Constantino Brumidi's celebration of the liberty he found in America can be seen in his signature on his painting that he was an Artist Citizen of the United States and in his statement on being hired for his first Capitol commission that, "I no longer have any desire for fame or fortune. My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on earth in which there is liberty." Now, therefore, be it

Resolved, That the Senate, on behalf of the American people, honors the life and legacy

of Constantino Brumidi, artist and patriot, and recognizes his many contributions to the world of art as well as the legacy of the United States as reflected in the building that houses Congress, the United States Capitol Building.

UNANIMOUS CONSENT AGREEMENT—COMMEMORATING ENACTMENT OF AMERICANS WITH DISABILITIES ACT

Mr. WARNER. Mr. President, I ask unanimous consent that at 1 p.m. on Monday, July 25, the Senate proceed to the immediate consideration of a resolution commemorating the 15th anniversary of the Americans with Disabilities Act, the text of which is at the desk. I further ask that there be no amendments in order to the preamble or resolution, and that there be 1 hour of debate as follows: 30 minutes at 1 p.m. on Monday, all equally divided between the majority leader or his designee and Senator HARKIN or his designee. I further ask unanimous consent that upon the use or yielding back of time, the Senate proceed to a vote on the resolution, at the conclusion of which the preamble be agreed to and the motion to reconsider be laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, JULY 25,
2005

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 1 p.m. on Monday, July 25. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to the immediate consideration of the Senate resolution commemorating the enactment of the Americans with Disabilities Act, as under the previous order. I further ask unanimous consent that upon the use or yielding back of the first 30 minutes of debate on the ADA resolution, the Senate resume consideration of S. 1042, the Defense authorization bill; provided further, that Senators on Monday have until 2 p.m. in order to file timely first-degree amendments to the Defense bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WARNER. Mr. President, on Monday, the Senate will consider a resolution marking the anniversary of the Americans with Disabilities Act, and a vote on the resolution has been ordered for 5:30 p.m. At approximately 1:30 p.m. on Monday, the Senate will resume consideration of the Defense authorization bill. Again, our next vote will

occur at approximately 5:30 p.m. on Monday. It is my expectation that we will be voting in relation to one or more amendments to the Defense authorization bill following the vote on the ADA resolution, so Senators should be prepared for stacked votes beginning at 5:30 on Monday.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR
2006—Continued

AMENDMENT NO. 1342, AS MODIFIED

Mr. WARNER. Mr. President, I ask unanimous consent that following the two stacked votes on Tuesday, the Senate proceed immediately to a vote in relation to Frist amendment No. 1342, as now modified, with the changes that are at the desk; provided further that no second degrees be in order to the above amendment prior to the vote and notwithstanding the provisions of rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1342), as modified, is as follows:

At the end of subtitle G of title X, insert the following:

SEC. 1073. SUPPORT FOR YOUTH ORGANIZATIONS.

(a) SHORT TITLE.—This Act may be cited as the "Support Our Scouts Act of 2005".

(b) SUPPORT FOR YOUTH ORGANIZATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term "Federal agency" means each department, agency, instrumentality, or other entity of the United States Government; and

(B) the term "youth organization"—

(i) means any organization that is designated by the President as an organization that is primarily intended to—

(I) serve individuals under the age of 21 years;

(II) provide training in citizenship, leadership, physical fitness, service to community, and teamwork; and

(III) promote the development of character and ethical and moral values; and

(ii) shall include—

(I) the Boy Scouts of America;

(II) the Girl Scouts of the United States of America;

(III) the Boys Clubs of America;

(IV) the Girls Clubs of America;

(V) the Young Men's Christian Association;

(VI) the Young Women's Christian Association;

(VII) the Civil Air Patrol;

(VIII) the United States Olympic Committee;

(IX) the Special Olympics;

(X) Campfire USA;

(XI) the Young Marines;

(XII) the Naval Sea Cadets Corps;

(XIII) 4-H Clubs;

(XIV) the Police Athletic League;

(XV) Big Brothers—Big Sisters of America; and

(XVI) National Guard Youth Challenge.

(2) IN GENERAL.—

(A) SUPPORT FOR YOUTH ORGANIZATIONS.—

(i) SUPPORT.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to that youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth organization) than was provided during the preceding fiscal year. This clause shall be subject to the availability of appropriations.

(ii) YOUTH ORGANIZATIONS THAT CEASE TO EXIST.—Clause (i) shall not apply to any youth organization that ceases to exist.

(iii) WAIVERS.—The head of a Federal agency may waive the application of clause (i) to any youth organization with respect to each conviction or investigation described under subclause (I) or (II) for a period of not more than 2 fiscal years if—

(I) any senior officer (including any member of the board of directors) of the youth organization is convicted of a criminal offense relating to the official duties of that officer or the youth organization is convicted of a criminal offense; or

(II) the youth organization is the subject of a criminal investigation relating to fraudulent use or waste of Federal funds.

(B) TYPES OF SUPPORT.—Support described under this paragraph shall include—

(i) holding meetings, camping events, or other activities on Federal property;

(ii) hosting any official event of such organization;

(iii) loaning equipment; and

(iv) providing personnel services and logistical support.

(C) SUPPORT FOR SCOUT JAMBOREES.—

(1) FINDINGS.—Congress makes the following findings:

(A) Section 8 of article I of the Constitution of the United States commits exclusively to Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

(B) Under those powers conferred by section 8 of article I of the Constitution of the United States to provide, support, and maintain the Armed Forces, it lies within the discretion of Congress to provide opportunities to train the Armed Forces.

(C) The primary purpose of the Armed Forces is to defend our national security and prepare for combat should the need arise.

(D) One of the most critical elements in defending the Nation and preparing for combat is training in conditions that simulate the preparation, logistics, and leadership required for defense and combat.

(E) Support for youth organization events simulates the preparation, logistics, and

leadership required for defending our national security and preparing for combat.

(F) For example, Boy Scouts of America's National Scout Jamboree is a unique training event for the Armed Forces, as it requires the construction, maintenance, and disassembly of a "tent city" capable of supporting tens of thousands of people for a week or longer. Camporees at the United States Military Academy for Girl Scouts and Boy Scouts provide similar training opportunities on a smaller scale.

(2) SUPPORT.—Section 2554 of title 10, United States Code, is amended by adding at the end the following:

"(i)(1) The Secretary of Defense shall provide at least the same level of support under this section for a national or world Boy Scout Jamboree as was provided under this section for the preceding national or world Boy Scout Jamboree.

"(2) The Secretary of Defense may waive paragraph (1), if the Secretary—

"(A) determines that providing the support subject to paragraph (1) would be detrimental to the national security of the United States; and

"(B) reports such a determination to the Congress in a timely manner, and before such support is not provided."

(d) EQUAL ACCESS FOR YOUTH ORGANIZATIONS.—Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b) by inserting "or (e)" after "subsection (a)"; and

(2) by adding at the end the following:

"(e) EQUAL ACCESS.—

"(1) DEFINITION.—In this subsection, the term 'youth organization' means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

"(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this chapter shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum."

ADJOURNMENT UNTIL 1 P.M., MONDAY, JULY 25, 2005

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order, and I thank the Presiding Officer for his courtesy.

There being no objection, the Senate, at 2:10 p.m., adjourned until Monday, July 25, 2005, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate July 22, 2005:

SECURITIES AND EXCHANGE COMMISSION

ROEL C. CAMPOS, OF TEXAS, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2010. (REAPPOINTMENT)

ANNETTE L. NAZARETH, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2007, VICE WILLIAM H. DONALDSON.

FEDERAL DEPOSIT INSURANCE CORPORATION

MARTIN J. GRUENBERG, OF MARYLAND, TO BE VICE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION, VICE JOHN M. REICH.

MARTIN J. GRUENBERG, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 27, 2006, VICE JOHN M. REICH.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate Friday, July 22, 2005:

DEPARTMENT OF COMMERCE

DAVID A. SAMPSON, OF TEXAS, TO BE DEPUTY SECRETARY OF COMMERCE.

JOHN J. SULLIVAN, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.

WILLIAM ALAN JEFFREY, OF VIRGINIA, TO BE DIRECTOR OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

NATIONAL SCIENCE FOUNDATION

KATHIE L. OLSEN, OF OREGON, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION.

DEPARTMENT OF THE INTERIOR

MARK A. LIMBAUGH, OF IDAHO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

FEDERAL MARITIME COMMISSION

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2010.

DEPARTMENT OF HOMELAND SECURITY

EDMUND S. HAWLEY, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

GENERAL SERVICES ADMINISTRATION

BRIAN DAVID MILLER, OF VIRGINIA, TO BE INSPECTOR GENERAL, GENERAL SERVICES ADMINISTRATION.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SUZANNE C. DEFRANCIS, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

ALEX AZAR II, OF MARYLAND, TO BE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES.

CHARLES E. JOHNSON, OF UTAH, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

IN THE COAST GUARD

COAST GUARD NOMINATION OF MELISSA DIAZ TO BE LIEUTENANT

COAST GUARD NOMINATION OF ROYCE W. JAMES TO BE LIEUTENANT.